

Before the
Federal Communications Commission
Washington, D.C. 20554

MAILED

JUN 13 2007

FCC WASHINGTON

In the Matter of)

Qwest Petition for Forbearance under 47 U.S.C.)

§ 160(c) from Title II and *Computer Inquiry* Rules)

with Respect to Broadband Services)

WC Docket No. 06-125

ORDER

Adopted: June 8, 2007

Released: June 8, 2007

By the Associate Chief, Wireline Competition Bureau:

1. In this Order, pursuant to section 10(c) of the Communications Act of 1934, as amended (the Act),¹ we extend by 90 days the date by which the petition requesting forbearance, filed by Qwest Inc. (Qwest),² shall be deemed granted in the absence of a Commission decision that the petition fails to meet the standards for forbearance under section 10(a) of the Act.³

2. On June 13, 2006, Qwest filed a petition requesting that the Commission forbear from applying Title II of the Act and the Commission's *Computer Inquiry* rules to any broadband services Qwest does or may offer to the extent those services are not offered as part of an Internet access service.⁴

3. Section 10(c) of the Act states that a petition for forbearance shall be deemed granted if the Commission does not deny the petition for failure to meet the requirements for forbearance under section 10(a) within one year after the Commission receives it, unless the Commission extends the one-year period.⁵ The Commission may extend the initial one-year period by an additional 90 days if the Commission finds that an extension is necessary to meet the requirements of section 10(a).⁶

4. The petition under review raises significant questions regarding whether forbearance from application of Title II of the Act and the Commission's *Computer Inquiry* rules to Qwest's broadband services meets the statutory requirements set forth in section 10(a). The Bureau thus finds that a 90-day extension is warranted under section 10(c).

5. Accordingly, IT IS ORDERED that, pursuant to section 10 of the Communications Act of 1934, as amended, 47 U.S.C. § 160, and authority delegated under sections 0.91 and 0.291 of the Commission's rules, 47 C.F.R. §§ 0.91, 0.291,⁷ the date on which Qwest's forbearance petition shall be deemed granted, in the absence of a Commission denial of the petition for failure to meet the statutory standards for forbearance, is extended to September 11, 2007.

¹ 47 U.S.C. § 160(c).

² See Qwest Petition for Forbearance under 47 U.S.C. § 160(c) from Title II and Computer Inquiry Rules with Respect to Broadband Services, WC Docket No. 06-125 (filed June 13, 2006) (Qwest Petition).

³ 47 U.S.C. § 160(a).

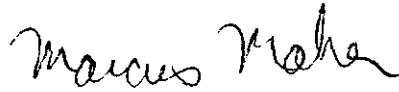
⁴ Qwest Petition at 1.

⁵ 47 U.S.C. § 160(c).

⁶ See, e.g., *Petition of Ameritech Corporation for Forbearance from Enforcement of Section 275(a) of the Communications Act of 1934, as amended*, WC Docket No. 98-65, Order, 14 FCC Rcd 6415 (Com. Car. Bur. 1999).

⁷ 47 U.S.C. § 155(c).

FEDERAL COMMUNICATIONS COMMISSION

A handwritten signature in black ink, appearing to read "Marcus Maher". The signature is fluid and cursive, with the first name "Marcus" written in a larger, more prominent script than the last name "Maher".

Marcus Maher
Associate Chief
Wireline Competition Bureau